

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Patricia A. Yost
dba Ultimate Hair Force Studio, Inc.
57-1173836
Debtor(s)

Bankruptcy Case No.: 17-23744-CMB
Per November 21, 2019 proceeding
Chapter: 13
Docket No.: 99 – 94, 95
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 26, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 36 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS Claim (Claim No. 4–3); PA Rev (Claim 7–6); to be paid at 6 percent .
- ☒ H. Additional Terms: \$13049.13 of the sale of the proceeds to be dedicated to the payment of general unsecured creditors.

Increase in the monthly payment to Santander shall be effective as of 10/19.

Additional Attorney fees in plan in the amount of \$3,000 is waived.

No further payments to secured/priority part of following claims because of removal from plan.

All prior payments ratified and confirmed: Wilmington Savings (Cl 8); Cadle (Cl 5–2).

Plan completion subject to final audit.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: December 3, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 5 of 6

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Patricia A. Yost
DebtorCase No. 17-23744-CMB
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: lmar
Form ID: 149Page 1 of 2
Total Noticed: 35

Date Rcvd: Dec 03, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 05, 2019.

db +Patricia A. Yost, 215 Elbe Drive, Pittsburgh, PA 15209-2033
 cr +County of Allegheny, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +North Hills School District, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +Office of Attorney General Department of Revenue, Robert C. Edmundson, 564 Forbes Avenue,
 Pittsburgh, PA 15219-2908
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 cr +Township of Ross, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +United States of America Department of the Treasur, c/oOffice of U.S. Atty for W.D. of PA,
 U.S. Post Office & Courthouse, 700 Grant Street, suite 4000, Pittsburgh, PA 15219,
 U.S.A. 15219-1956
 14695018 +Caliber Home Loans, 6404 Ivy Lane, #700, Greenbelt, MD 20770-1409
 14695019 +Caliber Home Loans, Inc., P.O. Box 24610, Oklahoma City, OK 73124-0610
 14745069 +County of Allegheny, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14788569 +DLJ Mortgage Capital, Inc., Serviced by Select Portfolio Servicing,,
 3217 S. Decker Lake Dr., Salt Lake City, UT 84119-3284
 14695022 +Jeffrey R. Hunt, Esquire, Goehring, Rutter & Boehm, 437 Grant St., 14th Floor,
 Pittsburgh, Pennsylvania 15219-6107
 14695023 +Jordan Tax Service, 102 Rahway Road, McMurray, Pennsylvania 15317-3349
 14741972 +LSF8 MASTER PARTICIPATION TRUST, Caliber Home Loans, PO Box 24330,
 Oklahoma City OK 73124-0330
 14695024 +Matt W. Yost, 3284 Babcock Boulevard, Pittsburgh, PA 15237-2839
 14695025 +Michael J. Witherel, Esquire, Witherel & Associates, 966 Perry Highway,
 Pittsburgh, PA 15237-2107
 14745070 +North Hills School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14719827 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 14695027 +Portfolio Recovery Associates, LLC, c/o Blatt Hasenmiller Leisker & Moore,,
 1835 Market Street, Suite 501, Philadelphia, Pennsylvania 19103-2933
 14695029 Santander Consumer, USA, Attn: Bankruptcy Dept., P.O. Box 560284, Dallas, TX 75356-0284
 15096697 Selene Finance LP, Attention: Cashiering Department, PO Box 71243,
 Philadelphia, PA 19176-6243
 14745071 +Township of Ross, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14695030 +UPMC Community Medicine, Receivables Outsourcing, P.O. Box 62850,
 Maltimore, Maryland 21264-2850
 14762770 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 14695031 UPMC Health Services, P.O. Box 371472, Pittsburgh, Pennsylvania 15250-7472
 14762876 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 14695032 UPMC Physician Services, P.O. Box 371980, Pittsburgh, Pennsylvania 15250-7980

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14695020 +E-mail/Text: CBCSMail@CBCSNational.com Dec 04 2019 03:41:41 CBCS, P.O. Box 163250,
 Columbus, Ohio 43216-3250
 14713233 +E-mail/Text: gocadle@cadleco.com Dec 04 2019 03:41:49 Cadles of Grassy Meadows II, L.L.C.,
 100 North Center Street, Newton Falls, OH 44444-1321
 14695017 +E-mail/Text: gocadle@cadleco.com Dec 04 2019 03:41:49 Cadles of Grassy Meadows, II, LLC,
 Attention: WWG20047, 100 North Center Street, Newton Falls, OH 44444-1321
 14768098 +E-mail/Text: kburkley@bernsteinlaw.com Dec 04 2019 03:41:58 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14695021 E-mail/Text: cio.bncmail@irs.gov Dec 04 2019 03:41:25 Internal Revenue Service,
 Centralized Insolvency Operations, P.O. Box 7346, Philadelphia, Pennsylvania 19101-7346
 14695028 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 04 2019 03:51:39
 Portfolio Recovery Associates, LLC, P.O. Box 12914, Norfolk, Virginia 23541
 14711410 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 04 2019 03:51:39
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14695026 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Dec 04 2019 03:41:38
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,
 Harrisburg, Pennsylvania 17128-0946

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr DLJ Mortgage Capital, Inc.
 cr Duquesne Light Company
 cr LSF8 Master Participation Trust
 cr WILMINGTON SAVINGS FUND SOCIETY, et.al.
 cr Wilmington Savings Fund Society, FSB, Et.AL

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 35

Date Rcvd: Dec 03, 2019

cr* +Cadles of Grassy Meadows II, L.L.C., 100 North Center Street, Newton Falls, OH 44444-1321
cr ##+SELECT PORTFOLIO SERVICING, INC, 3815 South West Temple, Salt Lake City, UT 84115-4412
TOTALS: 5, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 05, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 3, 2019 at the address(es) listed below:

Anthony T. Kovalchick on behalf of Creditor Office of Attorney General Department of Revenue
akovalchick@attorneygeneral.gov
Christopher M. McMonagle on behalf of Creditor DLJ Mortgage Capital, Inc.
cmcmmonagle@sterneisenberg.com, bkcecf@sterneisenberg.com
Francis E. Corbett on behalf of Debtor Patricia A. Yost fcorbett@fcorbettlaw.com,
fcorbett7@gmail.com
James McNally on behalf of Creditor Cadles of Grassy Meadows II, L.L.C.
jmcnally@cohenseglias.com, dlandi@cohenseglias.com
James Warmbrodt on behalf of Creditor DLJ Mortgage Capital, Inc. bkggroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Township of Ross jhunt@grblaw.com, cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor North Hills School District jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Jerome B. Blank on behalf of Creditor LSF8 Master Participation Trust pawb@fedphe.com
Jill Locnikar on behalf of Creditor United States of America Department of the Treasury,
Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;Marla.Kirkland@usdoj.gov
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Mario J. Hanyon on behalf of Creditor Wilmington Savings Fund Society, FSB, Et.Al
pawb@fedphe.com
Norma Hildenbrand, on Behalf of the United States Trustee by on behalf of U.S. Trustee
Office of the United States Trustee Norma.L.Hildenbrand@usdoj.gov
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com
Thomas Song on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, et.al. pawb@fedphe.com
TOTAL: 17